

BPI & FACT PRESS RELEASE

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Film and music industry first as market owners take rap for piracy

The UK's music and film industries today welcomed a key judgment handed down at St Albans Crown Court, which could prove hugely significant as the UK's creative industries step up their fight against copyright crime.

UK record labels' association the BPI and film anti-piracy body FACT say the case against Wendy Fair Markets Ltd is significant as all previous commercial piracy cases have been brought against either the sellers or distributors of the fakes, rather than the market owners themselves.

The landmark case, brought by Hertfordshire Trading Standards, drew closer to an end when the jury yesterday found the company, and directors Nicholas Hobday and Sally Ward, guilty of money laundering charges.

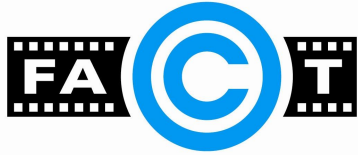
The charges were brought after the BPI and FACT, working with Hertfordshire Trading Standards claimed that both the defendants and company itself had benefited financially from the illegal sale of counterfeit DVDs, CDs, and computer software at Hemel Hempstead's Bovingdon Market.

Seven traders also face the possibility of custodial sentences; two of whom were found guilty of copyright offences yesterday after five others pleaded guilty earlier in the year.

But this is the first time a market operator has been convicted of accepting - in the form of pitch rents - money it knew, or suspected, had been earned through criminal means.

Both the company, Wendy Fair Markets Ltd - who operate 17 other UK markets, including music and film piracy hotspot Wembley Market - and the directors, could lose their assets as they are now vulnerable to a claim under the Proceeds of Crime Act.

The verdict, delivered yesterday, follows a seven-week trial at St Albans Crown Court, and the BPI and FACT have vowed to use this judgment to urge other market owners to clean up their act.



Kieron Sharp, FACT Director General, said:

"This is a great result for a joint agency initiative and shows that the market organisers were clearly allowing criminal activity to take place on a weekly basis at Bovingdon Market.

"Evidence gathered by FACT, BPI and Hertfordshire Trading Standards left the court in no doubt about the level of criminality occurring. I would like to thank Hertfordshire Council for their determination in pursuing this case."

BPI anti-piracy manager David Wood said:

"Most markets and car boot sales operate a strict no-fakes policy, but a significant number remain where the owners turn a blind eye to rampant counterfeiting and piracy, and whilst raking in the profits.

"It is plainly wrong that rogue market and car boot sale owners are able generate huge profits from criminal trade that takes place blatantly and openly under their noses. This ruling, we hope, will send a clear message to these market owners that they need to clean up their act or face prosecution."

The defendants will be sentenced in September 2007.

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For further information contact the BPI communications department on 020 7803 1395, Eddy Leviten at FACT on +44 (0)20 8568 6646/ 07768 057464 eddy.leviten@fact-uk.org.uk or Jon Ryan at Hertfordshire Trading Standards on 01992 588516

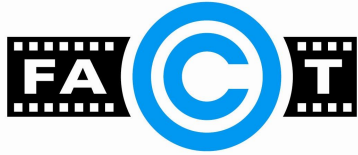
< EDITORS NOTES >

Under the Proceeds of Crime Act 2002, convictions on Money Laundering charges can carry a maximum penalty of 5-14 years imprisonment and or a fine.

<http://www.opsi.gov.uk/acts/acts2002/20029--k.htm#327>

About the BPI

The BPI (formerly known as The British Phonographic Industry) represents the UK recorded music industry.



Its membership comprises of over 400 music companies including the four 'major' record companies, indie labels, manufacturers, distributors and hundreds of independent music companies representing literally thousands of labels comprising over 90% of the UK's recorded music market.

A major area of the BPI's work is tackling music piracy, and the BPI combats commercial music piracy on behalf of the wider UK music industry.

More information

http://www.bpi.co.uk/pdf/BPI_UK_Commercial_Music_Piracy.pdf

About FACT

The Federation Against Copyright Theft is the UK's leading trade organisation established to protect and represent the interests of the film and broadcasting industry against copyright and trademark infringements.

Established in 1983, FACT works closely with statutory law enforcement agencies to combat the growth of pirate DVDs, film and other forms of broadcast material including the increasing threat from online/internet based piracy. FACT has been accepted as a prosecution authority and engages in criminal prosecutions in its own right.

The maximum penalty for offences of film piracy is 10 years imprisonment and/or an unlimited fine. Proceeds of Crime Act legislation now also enables confiscation of assets and goods obtained through criminal activity.

More information:

<http://www.fact-uk.org.uk>

See also:

<http://www.wendyfairmarkets.com/>

<http://www.bovingdonmarket.co.uk/>